



Angus S. King, Jr.  
Governor

STATE OF MAINE  
DEPARTMENT OF  
BEHAVIORAL and DEVELOPMENTAL SERVICES  
DIVISION OF LICENSING  
STATE HOUSE STATION 165  
MARQUART BUILDING  
AUGUST, MAINE  
04333-0165



Lynn F. Duby  
Commissioner

TO: Companies

FROM: Division of Licensing

RE: **EMPLOYEE ASSISTANCE PROGRAMS  
ALCOHOL & DRUG TESTING IN THE WORKPLACE**

Accompanying this letter is a copy of the **Regulation for Employee Assistance Programs for Employers operating in the State of Maine** and an application form for companies wishing to apply for certification to operate Alcohol & Drug Testing Programs.

The Regulations were developed to comply with Maine Public Law 1989, Chapter 536 and apply to all employers who:

1. **Wish to initiate or continue to require alcohol and /or drug testing of employees in the workplace (random and/or probable cause)**
- and**
2. **Employ 20 or more full-time employees.**

Companies who meet these conditions must develop and obtain certification for an **Employee Assistance Program** by the Department of Behavioral and Developmental Services **before** performing drug testing. Companies must obtain approval from the Dept. of Labor (Anne Harriman, phone number (207) 624-6411).

Companies not meeting the two conditions above may choose to pursue certification under these Regulations, but are not required to do so.

To apply for certification, please complete the enclosed application and submit the items requested to the address noted on the application. If you have any questions, please feel free to contact BDS Licensing at 207-287-4399 or 207-287-4241.

**NOTE:** A copy of your certificate will be forwarded to the Department of Labor (DOL). The DOL will request specific policies related to actual drug testing and will provide your organization with final approval.

OFFICE IS LOCATED ON THE AUGUSTA MENTAL HEALTH INSTITUTE CAMPUS

Outer Hospital Street, Marquardt Building, 3<sup>rd</sup> Floor, South

Phone: (207) 287-4399

TTY: (207) 287-9916

FAX: (207) 287-4107